

REMARKS

Claims 1-8 were pending in the present application. By virtue of this response, claims 5-7 have been canceled, claims 9-11 have been added and claims 1-2 have been amended. Accordingly, claims 1-4 and 8-11 are currently under consideration. Amendment and cancellation of certain claims is not to be construed as a dedication to the public of any of the subject matter of the claims as previously presented.

Specification

The disclosure has been objected to for various minor informalities. Specifically, the Examiner notes that the written text does not correspond accurately to the provided figures. The specification has been amended to correct these minor informalities. Accordingly, Applicant respectfully requests that the objection to the specification be withdrawn.

Claim Objections

Claims 5-7 have been objected to under 37 CFR 1.75(c) as being of improper dependent form for failing to further limit the subject matter of a previous claim. In order to expedite prosecution, claims 5-7 have been canceled. Accordingly, Applicant respectfully requests that the objections to claims 5-7 under 37 CFR 1.75(c) be withdrawn.

Rejections under 35 U.S.C. §102(b)**Claims 1, 3, 4 and 8**

Claims 1, 3, 4, and 8 stand rejected under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Pat. No. 3,722,005 to Cowland ("Cowland"). Specifically, the Office Action states that Cowland discloses a seed electrode, conducting wire, and an interface. Applicant disagrees with this rejection.

While claim 1, from which the remaining rejected claims depend, does require a seed electrode, a conducting wire, and an interface, these are not the only recited limitations. To be sure, the interface is configured to electrically connect to the conducting wire “at a location *along a length*” of the conducting wire (emphasis added). As described throughout Applicant’s specification, the conducting wires of the present invention may be attached to the interface at any desirable location along the length of the wire (opposed to the absolute end of a wire). In this way, custom lengths of wire may be made, reducing slack in the electrode line, and reducing the need for storing excess wire.

Cowland does not teach an interface that is electrically connected to (or that is even capable of being configured to electrically connect to) the conducting wire at a location along a length of the conducting wire. Instead, the interface of Cowland can only receive the conducting wire at the proximal end of the wire. The resulting wires from the seed electrode of Cowland, are therefore, not capable of being of a custom length. Accordingly, Applicant submits that the rejections of claims 1, 3, 4, and 8 under 35 U.S.C. §102(b) are improper and should be withdrawn.

Rejections under 35 U.S.C. §103(a)

Claims 1-4 and 8

Claims 1-4 and 8 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Pub. No. 2002/0116042 to Boling (“Boling”) in view of U.S. Pub. No. 2005/0137647 to Wallace et al (“Wallace”). Specifically, the Office Action states that the basic system is disclosed in Figure 3 of Boling, but that Boling fails to disclose the particular electrode and wire structure. The Office Action points to Figure 1 of Wallace and paragraph [0072] to fill this deficiency. Applicants disagree with this rejection.

In order to set forth a *prima facie* case of obviousness under 35 U.S.C. §103(a), the references must teach or suggest all the claim limitations, there must be some suggestion or motivation to modify the references or combine their teachings, and there must be a reasonable expectation of success, *see* MPEP §2143. Here, the Office Action fails to set forth even a *prima*

facie case of obviousness for at least the reason that the combination of references fails to teach or suggest all the claim limitations.

Independent claim 1, from which the remaining rejected claims depend, was discussed in detail above, where it was noted that the interface must be configured to electrically connect to a conducting wire “along a length” of that wire. Boling does not teach an interface configured in such a fashion, and Wallace fails to cure this deficiency. Accordingly, Applicant submits that the outstanding rejections of claims 1-4 and 8 under 35 U.S.C. §103(a) are improper and should be withdrawn.

CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejections of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 459992800200 (N01-04). However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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Respectfully submitted,

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